

House Bill 600

By: Representatives Dickey of the 140th, Washburn of the 141st, and Holmes of the 129th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to create a board of commissioners of roads and revenue for the county of
2 Monroe, approved August 19, 1907 (Ga. L. 1907, p. 318), as amended, particularly by an Act
3 approved May 11, 2011 (Ga. L. 2011, p. 3912), so as to provide for the removal of the duties
4 of disbursements; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act to create a board of commissioners of roads and revenue for the county of Monroe,
9 approved August 19, 1907 (Ga. L. 1907, p. 318), as amended, particularly by an Act
10 approved May 11, 2011 (Ga. L. 2011, p. 3912), is amended in Section 6 as follows:

11 **"SECTION 6.**

12 Oaths; bond; removal; compensation.

13 Before any of said commissioners shall assume the duties of this office, they shall take and
14 subscribe the following oath: 'I, _____, duly elected commissioner for Monroe
15 County, do solemnly swear that I will discharge the duties of said office to the best of my
16 ability; so help me God'; which shall be administered by the probate judge of said county
17 and filed in his or her office and recorded on his or her minutes. Said commissioners shall
18 be subject to removal by the judge of the superior court of said county for malfeasance,
19 misfeasance, or nonfeasance in office, as well as for incompetence or neglect of duty. All
20 proceedings instituted for the purpose of removal shall be signed by not less than 25
21 freeholders of said county, and the same filed and personally served, if possible, 15 days
22 before the time of hearing, which shall be evidenced by rule nisi duly granted by the court.
23 Said petition shall fully and distinctly set forth the grounds upon which said removal is

asked, showing wherein the conduct of said commissioner is in violation of this Act. Either side shall have the right of appeal from the decision of the court to the Supreme Court under the same rules and regulations governing the grant or refusal of injunctions. In the event that any commissioner should be ordered removed by the court, his or her office shall become at once vacant unless an appeal is filed, and his or her successor shall be appointed by said judge of the superior court, who shall hold until the next meeting of the grand jury of said county, at which time they shall appoint said successor until the first regular election, at which time said vacancy shall be regularly filled for the full time. If any such election should occur within 30 days from the date of said judgment declaring said vacancy, then the same shall be only supplied by the election of a successor for the full term. The chairperson of the board of commissioners shall be compensated in the amount established by the State of Georgia to be paid from the funds of Monroe County. The other members of the board of commissioners shall be compensated in the amount established by the State of Georgia to be paid from the funds of Monroe County."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.